



## UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

PERS

72-19341

IN REPLY PLEASE REFER TO

YOUR REFERENCE

15 DEC 1972

Mr. William E. Colby  
Executive Director-Comptroller  
Central Intelligence Agency  
Washington, D.C. 20505

Executive Registry

72-6952

Dear Mr. *Bill* Colby:

The Chairman of the Senate Committee on Post Office and Civil Service has asked the Civil Service Commission to study and report on positions excluded by statute from the requirements for the competitive service. This request arises from questions which came up on a legislative proposal in the last session of Congress. For your convenience excerpts from the Committee's Report which describe the problems are enclosed as Appendix A. These will give background and perspective on the inquiry the Commission has been asked to make.

To obtain the information for the Committee, the Civil Service Commission is asking agencies for a report on positions which are excepted by statute from the competitive service. In some instances it will be an entire agency that is excepted; in others it will be an organizational unit or an occupational group of positions. The Committee's primary interest is in those statutory exclusions which comprise a significant block of positions and not in individual and unique positions.

For the guidance of your staff, a statement of what should be covered in the report is attached to this letter as Appendix B. In summary, the report should include a statement of the historical background and the reasons why the positions were placed in the excepted service; the personnel and operating policies and procedures in use for appointment, promotion, and removal of the employees in the excepted positions; and the present reasons for continuance of the exceptions if such is the recommendation.

The treatment of attorney positions presents a special problem. For purposes of this inquiry they are to be included even though many are excepted by Commission action. The Commission has no choice in the matter since it is prohibited by appropriation act from using funds to examine for attorney positions. We will, therefore, prepare the general historical background statement on all attorney positions excepted by Schedule A. Each agency should, however, provide information on personnel operating policies for attorney positions and

\*OPM Declassification/Release Instructions on File\*

present its own viewpoint concerning the continuance of the exception. The report should not include any other positions placed in the excepted service by Commission action or by action of the President.

Since a common plan for the requested report will facilitate comparison of the different personnel systems, we have attached a format for topics of information and discussion. The format is not intended, however, to limit discussion. Please feel free to add any other material which you consider pertinent.

We want to emphasize the importance of indicating the specific reasons for the need to continue an exception. This will enable us to furnish the Committee with complete and current information on the positions excepted by statute.

Please forward your reply to the Director, Bureau of Policies and Standards, Civil Service Commission, by February 12, 1973. Telephone inquiries may be directed to Mrs. Wilma Lehman, Code 101-25623 or 632-5623.

Sincerely yours,



Bernard Rosen  
Executive Director

2 Enclosures

Appendix A: Excerpts from Committee Report  
Appendix B: Format for Agency Report